

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, July 2, 2008 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Howard Shook, Chair Janice D. Davis, CFO
 Councilmember Felicia A. Moore Departmental Staff
 Councilmember Kwanza Hall
 Councilmember Clair Muller
 Councilmember Jim Maddox
 Councilmember Cleta Winslow

Chairperson Shook called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Kwanza Hall, Clair Muller, Jim Maddox and Cleta Winslow. Other Departmental staff was present as well. The Agenda was adopted as printed with two new First Read Ordinances and a Referred Personal Paper from the Public Safety and Legal Administration Committee.

CONSENT AGENDA

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

08-O-1298 (1) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to authorize the Chief Financial Officer to remit payment for all outstanding invoices through January 31, 2008, to Scriptlogic Corporation, in an amount not to exceed one hundred thirty-eight thousand, six hundred ninety-one dollars and forty-five cents, for Client/Server Maintenance and Security Software Licenses to be charged to and paid from FDOA Number 1001 (General Fund) 050212 (DIT IT Server Management) 52130001 (Consulting and Professional Services) 1535000 (Data Processing/Management Information System), to ratify the prior provision of Client/Server Maintenance and Security Software Licenses and to authorize the Mayor to execute appropriate Contractual Agreements with Scriptlogic Corporation, for Client/Server Maintenance and Security Software Licenses, on behalf of the Department of Information Technology; and for other purposes.

FAVORABLE ON FIRST READ

08-O-1299 (2) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the source selection provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to authorize the Chief Financial Officer to remit payment for all outstanding invoices through December 28, 2008, to CXTEC in an amount not to exceed twenty-nine thousand dollars and no cents (\$29,000.00) for Cisco SSL Compression Hardware purchased pursuant to GSA Contract Number GS-35F-0315N to be charged to and paid from FDOA Number 1001 (General Fund) .50208 (DIT IT Infrastructure) .5424003 (Computers (\$5,000+) .1535000 (Data Processing/Management Information Systems) to ratify the prior provision of goods to the City by CXTEC; and for other purposes.

FAVORABLE ON FIRST READ

08-O-1300 (3) An Ordinance by Finance/Executive Committee authorizing the waiver of the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta to authorize the Chief Financial Officer to remit payment for an invoice in an amount not to exceed \$45,782.80, to Air-Transport IT Services, Inc. for work to develop and modify the interface between Propworks and the Citywide Oracle Financial System; all contracted work to be charged to and paid from PTAE0: 18101173 (Management Information System) 101 (Task) 550291249 (DOA R N E 9999) 5212001 (Consulting & Professional Services) and FDA: 5502 (Airport Renewal and Extension Fund) 180201 (DOA Aviation Capital Planning & Development) 5212001 (Consulting & Professional Services) 7563000 (Airport) 101173 (Management Information System) 91249 (DOA R N E 9999) 0000 (Default) 00000000 (Default) 00000000 (Default).

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 7 FOR FC-6004007863

08-O-1156 (1) A **Substituted** Ordinance by Finance/Executive Committee authorizing the Mayor to enter into Amendment Agreement No. 7 for FC-6004007863, Customer Information and Billing System and Off-Site Billing Services, with Systems and Software, Inc. ("S&S") for the implementation of the Customer Relationship Management (CRM) additional equipment, training, licenses and support on behalf of the Department of Watershed Management to increase funding in an amount not to exceed five million five hundred thirty-seven thousand forty-three dollars and no cents (\$5,537,043.00), and to waive Article X, Division 4, Section 2-1188 et. seq. of the City of Atlanta's Procurement Code to extend the term of contract for an additional eighteen (18) months; all contracted work shall be Charged To and Paid From 5052 (Water & Wastewater Renewal) 5052 (Water & Wastewater Renewal) 170502 (DWM Watershed Call Center) 521201 (Consulting/Professional 1590000 (Customer Service) - \$4,533,283.00, 5052 (Water & Wastewater Renewal) 170502 (Watershed Call Center) 5222002 (Service/Repair/Maintenance/Contract) 1590000 (Customer Service) \$443,760.00 and 5051 (Water and Wastewater Revenue Fund) 170304 (DWM Watershed Information) 5212001 (Consulting/Professional Services) 1535000 (Data Processing Management Information/Additional Licenses) - \$560,000.00; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA, 7/2/08)**

HELD AND SUBSTITUTED

Chairperson Shook stated that we have a Substitute.

Ms. Sheila Pierce: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that this accomplishes the additional 18 month time of 2010 and it gives approval for the CRM (Customer Relations Management) systems, which can track and help employees respond to customer's calls. The calls can generate work orders as well. The third provision is to purchase additional licenses

for additional employees to have access. Some of the field employees can also use the software. Chairperson Shook stated that he was overwhelmed by the supporting documentation with the legislation. He wants additional information regarding the \$5.5 million dollars. He wants the paper to be Held. Councilmember Winslow asked about the off-site billing services. Ms. Pierce responded that we are still doing the billing. The system was installed in 2006. This is a separate system and is an Oracle based system. It will be managed and maintained by Oracle. Chairperson Shook stated that we have given the Department of Watershed everything they have wanted. Why does this system needs all of the additional things. Councilmember Winslow stated that she agrees with the Chair and then asked how much is the entire system? When we did Oracle we were given pieces of paper that added up significantly. It is helpful to get the cost up front and throughout the terms of the system. Ms. Pierce added that the system is designed to accommodate utilities fully. Councilmember Maddox stated that he wants to know what the status of the audit is? Ms. Pierce responded that Ms. Leslie Ward is taking the lead on the audit.

TO AMEND THE ATLANTA TREE PROTECTION ORDINANCE, CODE SECTION 158-66 (A)

08-O-1260 (2) An Ordinance by Councilmembers Natalyn Archibong and Carla Smith amending the Atlanta Tree Protection Ordinance, Code Section 158-66 (a), to allow for Tree Trust Fund dollars that are earmarked for education in any given year and unused, to be utilized for education in future years; to authorize that a new account be created and entitled Tree Trust Fund Education Fees; and to authorize that such education fees be deposited into said Account, whose number shall be Project 25210242 (Education Outreach/Tree Removal, Award 100191794 (Tree Recompense), Task 101 (Education Outreach), Funding Source 91794; and for other purposes.

HELD

TO REQUEST AN AUDIT OF THE PERFORMANCE AND FISCAL ACTIVITIES OF THE BELTLINE PROGRAM

08-O-1262 (3) An **Amended** Ordinance by Councilmember C.T. Martin requesting an Audit of the Performance and Fiscal Activities of the Beltline Program; and for other purposes. **(Finance/Executive Committee Amendment to convert from an Ordinance to a Resolution, 7/2/08)**

FAVORABLE AS AMENDED

Chairperson Shook stated that Ms. Ward stated that she has received a formal vote from her Board to take this on. She has to find the scope of services. Councilmember Maddox asked who will pay for it. Chairperson Shook stated that the scope of services has to be worked out. The money may come out of the Auditor's Budget. Chairperson Shook stated that there were discussions if this needed to be a Resolution or an Ordinance. It would be cleaner to do it as a Resolution. We could convert it. Councilmember Muller offered an Amendment to convert from an Ordinance to a Resolution. She then offered a motion to **Approve as Amended, 6 Yeas.**

TO STATE THE COUNCIL'S REQUEST FOR AND SUPPORT OF THE ADMINISTRATION TO CONDUCT A FEASIBILITY STUDY

08-R-1246 (1) A Resolution by Councilmember Ceasar C. Mitchell stating the Council's request for and support of the Administration to conduct Feasibility Study on a joint fuel Purchasing Agreement with Fulton County Government, Marta, Dekalb County

Government and the Atlanta Public School System; and for other purposes.

FAVORABLE

Chairperson Shook stated that several years ago, Atlanta was better off purchasing fuel on its own. He is in favor of joining with others. Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

TO REQUEST THE DEPARTMENT OF PUBLIC WORKS, FINANCE, AND LAW TO REVIEW THE FEASIBILITY OF A BOND REFERENDUM

08-R-1261 (2) A Resolution by Councilmember Jim Maddox requesting the Department of Public Works, Finance, and Law to review the Feasibility of a Bond Referendum to address the Transportation Infrastructure needs of the City of Atlanta to present to the citizens of Atlanta at the November, 2008 General Election. **(Finance/Executive Committee Amendment deletes the phrase after Atlanta and removes November 2008, 7/2/08.**

FAVORABLE AS AMENDED

Councilmember Maddox stated that the Bond Referendum will soon expire. The City has to keep rolling with their quality of life issues. There are unsafe bridges. There are other improvements as well that need to be made. The citizens should be the ones to approve them if they desire them. If we wait until a later date it will be costly. Chairperson Shook stated that we are in a crunch. He has an interest in a Public Safety Bond to increase bedding at the jail. We talked about Streetcars and a Civil Rights Museum. We do have bonding capacities. Councilmember Moore stated that she wants to be clear on what we are passing. Are we asking them if it is feasible for the sizing of the Referendum? The Departments of Finance, Public Safety and Law would do a schedule. It is important. Our debt comes out of the General Fund. We need to be careful of the cost. It will be paid for over the next 30 years. She supports the initiative. Chairperson Shook stated that each one passed with 80% or more of the vote. There were perspective lists that passed through the neighborhoods. He is a little hesitant because we need to take the time to develop a base list to circulate around. We are showing the citizens we are working with them. Councilmember Moore stated that we need to start with the list that we left off from. Councilmember Winslow stated that a report should be done by July 31st. We may have to take the old list first. Councilmember Maddox stated that the Departments are already looking at it and has made some progress. This is only asking them to come back to us. We want to make sure that all Districts are covered equally. The people don't mind supporting it if they will benefit.

Ms. Madelyn Grant: of the Department of Public Works addressed the Committee by stating that we have been in communication with the Departments of Law and Finance. The time frame is not a problem, but the issue is that the schedule will be extremely tight. We have to get it to Fulton County by August 4th and to the full Council by Monday, July 7th. The likely outcome is that we won't meet the November election. Chairperson Shook stated that he wants the information. Councilmember Muller asked if it is necessary to Amend the paper. Could we delete this or change it to the next election. Councilmember Maddox stated that he does not want the Referendum to cost us anything. Chairperson Shook stated that we could delete the phrase after Atlanta and remove November 2008.

Mr. Carey Duncan: addressed the Committee by stating that you run a great risk of asking the voters to approve a Referendum. We have a long memory of what has taken place. When you talk about quality of life, the City has not gotten itself together. We do not build roads, but you want the citizens to be in the sidewalk business. You do a bad job with the construction of sidewalks. The taxpayers are fed up and you run the risk

of citizens saying no. The other list has not been taken care of yet. He hopes that we can replace a good CFO. You could save this City millions of dollars.

Ms. Rhonda Johnson: Municipal Clerk addressed the Committee by stating that there are four opportunities to hold a special election. It is in February when you have the Presidential Primary Election and in March at the Non-Presidential Election in July and in November 2009. If the City chooses to do it, it is highly possible that the City would have to pay around \$1 million for it. There will be an election in November 2009 that will be shared with other municipalities. She suggests that we wait until that time. This year as well is a good time to do it because we pay for the absentee and provisional ballots. Chairperson Shook stated that we are changing the last two sentences (at the next Statewide, County or Municipal General Election). Councilmember Maddox asked if we are ready by November, could we do it. Ms. Grant responded that we would have to introduce legislation on Monday. The Department has the capability to do that. On Monday we will have the project list. We would have to introduce the size and category on Monday. If you wish to add the list, it needs to be defined with the passing of the legislation. Councilmember Maddox asked if it could be added with public safety. CFO Davis responded that it could be amended before adopted. Ms. Grant added that we do have the analysis to include. Chairperson Shook stated that he has not intentionally suggested rushing to spending hundreds of millions of dollars. There is a lot of conversation to take place first. Ms. Johnson responded that we should not remove the date and say "or any other General Election". We should not close out any opportunity. We could introduce an Ordinance on Monday. Chairperson Shook stated that he is comfortable with the Amendment. Councilmember Muller offered a motion to amend the Amendment. She then offered a motion to **Approve as Amended, 5 Yeas.**

TO AUTHORIZE THE CITY OF ATLANTA TO ENTER INTO A STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT

08-R-1301 (3) A Resolution by Finance/Executive Committee authorizing the City of Atlanta to enter into a Statewide Mutual Aid and Assistance Agreement formulated by Georgia Water and Wastewater Agencies (also known as the Georgia Water & Wastewater Agency Response Network); and for other purposes.

FAVORABLE

Ms. Pierce stated that this will present a network with other facilities to provide emergency services. You become eligible for grant funding if you are in the network. Councilmember Hall offered a motion to **Approve, 6 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH MOTOROLA, INC.

08-R-1302 (4) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or enter into an Agreement with Motorola, Inc. utilizing the State of Georgia Contract 980-280008 for the purchase of thirty-six (36) Mobile Maximo Ruggedized Notebooks on behalf of the Department of Watershed Management, Bureau of Drinking Water in an amount not to exceed one hundred sixty-five thousand nine hundred ninety-two dollars and no cents (\$165,992.00); all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers in the following amounts: 5052 (Water & Waste Water Revenue Fund) 170409 (Chastain) 5316005 (Computers) 4440000 (Distribution) - \$27,665.00; 5052 (Water & Waste Water Revenue Fund) 170412 (DWM Water System Repair-Stonewall) 5316005 (Computers) 4440000 (Distribution) - \$27,665.00; 5052 (Water & Waste Water Revenue Fund) 170408 (DWM Drinking Water Engineering Service) 5316005 (Computers) 4440000

(Distribution) - \$55,331.00; 5052 (Water & Waste Water Revenue Fund) 170407 (DWM Drinking Water Facility Maintenance) 5316005 (Computers) 4430000 (Treatment) - \$55,331.00; and for other purposes. **(Finance/Executive Committee Substitute removes the last Whereas, 7/2/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute. Ms. Pierce responded that these will be used by field employees. Instead of making notes on paper and give to someone else to input, they could do it from mobile stations. This will help with being more efficient. These are durable computers. The Substitute removes the last Whereas. Councilmember Hall asked if this is similar to Codes Compliance computers. Ms. Pierce responded that she is not sure. Councilmember Hall stated that he wants them to look at Code Enforcement software.

Mr. Ibrahim Maslamani: Director of the Bureau of Buildings addressed the Committee by stating that it is a notebook. Councilmember Muller asked which one is better. Ms. Pierce responded that we have the notebook as well. We have used this one in other parts of Watershed. It can get wet. Mr. Maslamani responded that we dropped ours several times and it did not break. Councilmember Hall offered a motion to **Approve on Substitute, 6 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT

08-R-1303 (5) A Resolution by Finance/Executive Committee authorizing the Mayor or her Designee to enter into an Appropriate Contractual Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing WSCA Contract #A63307 with Dell Government Leasing and Finance, for the Lease of 369 Dell Optiplex Computers and a Dell Latitude Laptops for three years to refresh current aged computers with the latest, most efficient technology, on behalf of the Department of Information Technology, in an amount not to exceed two hundred two thousand and eighty five dollars (\$202,085.00); all contracted work shall be charged to and paid from Fund, Account and Center Number 1001 (General Fund) 050202 (IT Applications) 5223202 (Operating Lease/Rental Equipment) 1535000 (Data Processing/Management Information Systems); and for other purposes.

FAVORABLE

Mr. Mark Campbell: Deputy Chief Information Officer addressed the Committee by stating that this paper is the first refresh of the Refresh Initiative of 2005. It gives the ownership and puts the current technology in place. Councilmember Winslow asked what will this enhance. Mr. Campbell responded it is for PC's 3 years or older. The life of a PC is two years. There were three phases. Councilmember Winslow asked for the total cost. Mr. Campbell responded that this is the first phase. The projected total is \$600,000 and there are three phases. We are negotiating with Dell and targeting every other year. Councilmember Moore offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE COOPERATIVE PURCHASING AGREEMENT

08-R-1304 (6) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize the Cooperative Purchasing Agreement pursuant to Subsection 2-1602 of the Procurement and Real Estate Code of Ordinances of the City of Atlanta, ("City"),

utilizing the Federal GSA Contract GS-35F-0532L with TMA, A GSA Approved Technology Vendor so as to purchase software for an Automated Revenue Collection Method and Reporting Program on behalf of the Department of Parks, Recreation and Cultural Affairs, in an amount not to exceed four hundred and fifty thousand dollars (\$450,000.00; all contracted work to be charged to and paid from various Account Segment PTAE0 Numbers identified below in the legislation; and for other purposes.

FAVORABLE

Ms. Dorinda Combs: of the Department of Parks, Recreation and Cultural Affairs addressed the Committee by stating that this allows us to collect revenue and do online registrations. Chairperson Shook stated that the audit was initiated to do this. Councilmember Moore offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC.

06-R-1667 (1) An **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Amended and Held, 8/16/06 at the request of the Committee to allow time pending additional review)**

HELD

TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA, GEORGIA

07-O-0138 (2) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07 at the request of the Department of Procurement for an additional study)**

HELD

TO PROVIDE FOR THE ANNEXATION OF 4605 BIRDIE LANE, SW, ATLANTA, GEORGIA, 30331

07-O-0623 (3) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of 4605 Birdie Lane, SW, Atlanta, Georgia, 30331, 0.404 acres of land located in Land Lot 61 of the 14th District of Fulton County to the corporate limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 3/28/07 to ensure annexation procedures are executed appropriately)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE FALLS SUBDIVISION

- 07-O-0624 (4) An Ordinance by Councilmember James Maddox to provide for the Annexation of land known as Cascade Falls Subdivision to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 3/28/07 pending review to determine additional properties contiguous to the City are identified and included in the annexation)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE ORKNEY/LANARK DRIVE COMMUNITY

- 07-O-0968 (5) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Orkney/Lanark Drive Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

HELD

TO AMEND ARTICLE V. CLASSIFICATION PLAN, OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA

- 07-O-0974 (6) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

HELD

TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF \$4.50

- 07-O-1087 (7) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to allow the City to impose a verification/convenience fee in the amount of \$4.50 on credit cards users, on-line payment users, electronic check users, or interactive voice response users submitting payments for fees and/or fines imposed by the City of Atlanta such as those associated with traffic enforcement and Water and Wastewater City Services; to recover the cost the City pays to third-party vendors to process such payments; all collected funds will be deposited into various Fund, Account and Center Numbers; and for other purposes. **(Referred back to Finance/Executive Committee by Council, August 20, 2007); (Held, 8/29/07)**

HELD

TO ENCOURAGE MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE EMPLOYEE FREE CHOICE ACT

- 07-R-1904 (8) A Resolution by Councilmember Joyce M. Sheperd that encourages Members of the United States Congress to support

the Employee Free Choice Act which authorizes the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them. **(Held, 9/12/07 at the request of the Committee to discuss with the Author)**

HELD

TO SUPPORT H.R. 2447 TO ESTABLISH AN ENERGY AND ENVIRONMENT BLOCK GRANT PROGRAM

07-R-2138 (9) A Resolution by Councilmember Ceasar C. Mitchell to support H.R. 2447 to establish an Energy and Environment Block Grant Program that is presently before the United States Congress; and for other purposes. **(Held, 10/10/07)**

HELD

TO ENDORSE HR 3535 HOMEBUYER'S PROTECTION ACT OF 2007

07-R-2139 (10) A Resolution by Councilmember Ceasar C. Mitchell to endorse HR 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held, 10/10/07)**

HELD

TO CREATE A NEW SECTION 2-46.1

08-O-0085 (11) An Ordinance by Councilmembers Felicia A. Moore, C.T. Martin, Mary Norwood, Jim Maddox, Ivory Lee Young, Jr., Ceasar C. Mitchell, Joyce M. Sheperd and Natalyn Archibong to create a new Section 2-46.1 entitled "Authorization Required by City Council for Requested Local Government Approval and/or Letters of Support"; and for other purposes. **(Held, 1/16/08)**

HELD

TO RESCIND ORDINANCE 07-O-2410

08-O-0295 (12) An Ordinance by Councilmembers H. Lamar Willis, Anne Fauver, Felicia A. Moore, Natalyn Archibong and Ivory Lee Young, Jr. to rescind Ordinance 07-O-2410; and for other purposes. **(Held, 2/13/08)**

HELD

A TWELFTH SUPPLEMENTAL BOND ORDINANCE

08-O-0299 (13) An Ordinance by Councilmember Howard Shook a Twelfth Supplemental Bond Ordinance supplementing the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000, as previously amended and supplemented, to authorize the issuance by the City of Atlanta of its variable rate Airport General Revenue Refunding Bonds, Series 2008A, in one or more Series, in an aggregate principal amount of not to exceed \$550,000,000, each to bear interest in a variable rate mode; to refund all or a portion of the City's variable rate Airport General Revenue Refunding Bonds, Series 2003RF-B and Series 2003RF-

C; to provide for a reasonably required Debt Service Reserve; to provide for the rights of the holders of said Bonds; to make certain other covenants and agreements in connection with the issuance of such Bonds; to provide certain terms and details of said Bonds, including authorizing delegated negotiated sales of said Bonds; to provide for the execution of certain agreements relating to one or more credit and/or liquidity facilities with respect to the Series 2008A Bonds; to pay expenses relating thereto; to authorize the preparation, use and distribution of one or more preliminary and final official statements in connection with the offer and sale of the Series 2008A Bonds; to provide for the annual submission of certain financial information and operating data pursuant to Rul3 15C2-12 of the Securities and Exchange Commission; to designate one or more Underwriters and Remarketing Agents, and a Tender and Paying Agent and to approve forms of various other agreements in connection with the Issuance of said Bonds; providing for incidental action; providing for severability; to provide and effective date; and for other related purposes. **(Held, 2/13/08)**

HELD

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO PURCHASE PROPERTY

08-O-0402 (14) An Ordinance by Finance/Executive Committee authorizing the Chief Procurement Officer to purchase property located at 207/211 Vine Street and 601/605 Spencer Street, Atlanta, Georgia 30314; to provide for the appraisal of the property; to obtain title reports; to negotiate the purchase price of the property; to authorize the use of legal proceedings if necessary to obtain the property; to accept funds in the amount of \$725,000.00 from the Atlanta Development Authority to be applied towards the purchase of the property; and for other purposes. **(Held, 3/12/08)**

HELD

TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE LEASE/PURCHASE AGREEMENT WITH WACHOVIA BANK

08-R-0405 (15) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Lease/Purchase Agreement with Wachovia Bank, for _____, on behalf of the Office of the Mayor, in an amount not to exceed _____; to provide for advertisement in a newspaper of general circulation and set a Public Hearing; and for other purposes. **(Held, 2/27/08)**

HELD

TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE FULTON COUNTY DISTRICT ATTORNEY

08-R-0510 (16) A Resolution by Councilmembers Howard Shook and Cleta Winslow authorizing the Mayor to enter into an Intergovernmental Agreement with the Fulton County District Attorney for a period of three years in an amount not to exceed twenty six thousand dollars and no cents (\$26,000.00) per month for services for the City of Atlanta under for Consultation and Support Services to Victims and Witnesses of Crime; all contracted work to be Charged and and Paid From Fund, Account and Center Number

3P01 (Agency Fund) 264017 (Muni Court VW ASST PRG (MCVW) A00001 (Balance Sheet Center); and for other purposes. **(Held, 3/12/08)**

HELD

TO AMEND CHAPTER 114, ARTICLE VI, DIVISION 4, OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA

- 08-O-0632 (17) An Ordinance by Finance/Executive Committee amending Chapter 114, Article VI, Division 4, of the Code of Ordinances of the City of Atlanta, Georgia entitled "Substance Abuse Policy" as it pertains to sworn employees of the Departments of Police, Fire and Rescue, Corrections, as well as all other employees of the various departments of the City of Atlanta who hold positions designated by the Commissioner of the Department of Human Resources as being safety-sensitive; to authorize the Commissioner of the Department of Human Resources to designate certain employment classifications as being safety-sensitive in accordance with applicable law, rules, and regulations, for the purpose of random drug testing; and for other purposes. **(Held, 5/14/08)**

HELD

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

- 08-O-0634 (18) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta, to authorize the Chief Financial Officer to remit payment for outstanding invoices through December 31, 2007 to Cognos Corporation for Software, Services and Support, in an amount not to exceed \$927,771.63, to be charged to and paid from FDOA Number 1001. (General Fund) 200301. (NDP Unallocated Citywide Employee Expenses) 5212001. (Consulting/ Professional Services) 1540000. (Human Resources); to authorize the Mayor to execute appropriate Contractual Agreements with Cognos Corporation, for Consulting, License Maintenance and Training Services, on behalf of the Department of Finance, in an amount not to exceed \$439,200.00, to be charged to and paid from FDOA 3503. (Capital Finance Fund) 200300. (Non-Allocated Fund Expenses) 5999999. (Projects and Grants Budget- Summary) 153500. (Data Processing/ Management) 110013. (Cognos Budget Development) 91226 (GMA Loan 9999); and for other purposes. **(Held and Amended, 4/30/08)**

HELD

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ENGAGE ON BEHALF OF THE CITY OF ATLANTA

- 08-O-0736 (19) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to engage on behalf of the City of Atlanta to establish and implement a Cost Neutral Deferred Retirement Option Retirement Plan as an additional benefit for the members of the City of Atlanta Firefighter's Pension Fund and the City of Atlanta Police Officers Pension Fund; and for other purposes. **(Held, 5/14/08)**

HELD**TO AUTHORIZE A MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT**

08-R-0815 (20) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq., of the City of Atlanta Code of Ordinances, utilizing Fulton County, Georgia Contract #061TB512353K-JD, to authorize Centennial Contractors Enterprises, Inc. to provide fast track for Repairs and Construction tasks for City owned facilities, on behalf of the City of Atlanta Department of Executive Offices (Office of Enterprise Assets Management) in an amount not to exceed one million, six hundred ninety-five thousand, nine hundred ninety-three dollars and thirty-five cents (\$1,695,993.35); all funds shall be Charged To and Paid From Fund (1001) General Fund, Department (040404) Exe. Facility Maintenance Account (5222001) Service, Repair and Maintenance and Function Activity 1565000 General Government Buildings & Plants. **(Held, 4/30/08); (Finance/Executive Committee adds the FDOA, 7/2/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Ms. Lisa Gordon: of the Office of Enterprise Asset Management addressed the Committee by stating that this item only addresses the AWDA building. We will bring an Amendment for others. The proceeds are covered by insurance. This State Contract is for various facilities. We have reviewed the bids.

Mr. Robert Shuler: addressed the Committee by stating that the unit price contracts have been pre-negotiated. These have been in place for a long period of time. We have done comparison pricing at 818 Pollard Street. We do not have the flexibility to optimize. Water damage happened earlier this year and we have just received the funds from the insurance company. We will re-task the building and put more people in it. Councilmember Winslow asked where will the Department of Parks, Recreation and Cultural Affairs move to? Mr. Shuler responded the 3rd floor at 818 Pollard. They are coming from 8000 square feet to 4000, one-half of the space. We are taking advantage of less people, smaller PC's, etc. We have a work space that is accommodating. They will have the computer screen mounted on the wall. Councilmember Winslow asked if there is other space on another floor that is available. Mr. Shuler responded yes. Councilmember Moore offered a motion to **Approve on Substitute, 6 Yeas.**

TO AMEND ARTICLE IX, SECTION 2-912 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA

08-O-0821 (21) An Ordinance by Councilmembers Felicia A. Moore, Cleta Winslow, Anne Fauver, Ceasar C. Mitchell, H. Lamar Willis, Mary Norwood, Natalyn Archibong, Joyce M. Sheperd, Ivory Lee Young, Clair Muller and Kwanza Hall to amend Article IX, Section 2-912 of the Code of Ordinances of the City of Atlanta, Georgia (Entitled "Procedures for Making Payments by City") to establish a procedure for making payments in violation of the Procurement Code. **(Held, 4/30/08)**

HELD

TO PROVIDE FOR THE ISSUANCE AND SALE OF TAX ALLOCATION BONDS (PERRY BOLTON PROJECT)

08-O-0822 (22) An Ordinance by Councilmember Felicia A. Moore to provide for the Issuance and Sale of Tax Allocation Bonds (Perry Bolton Project), Series 2008, in the aggregate principal amount not to exceed \$1_____ (the "Series 2008 Bonds"), to pay, or to be applied or contributed toward, the payment of redevelopment costs associated with the Projects identified on Schedule 1 hereto (the "2008 Projects"); to authorize paying expenses incident to accomplishing the foregoing; to authorize the execution of a Indenture of Trust, a Bond Placement Agreement, Separate Development Agreements with the developers of each of the 2008 Projects and approving the use and distribution of a Preliminary Limited Offering Memorandum and Final Limited Offering Memorandum; to clarify the intent of the initial Resolution (as defined herein) with respect to the termination of the Perry Bolton TAD (as defined herein) and for certain other purposes, all in connection with the Issuance and Sale of the foregoing described Series 2008 Bonds. **(Held, 4/30/08)**

HELD

TO AUTHORIZE THE ACCEPTANCE OF DONATED FUNDS ESTIMATED OF TOTAL \$250,000.00

08-R-1021 (23) A **Substitute** Resolution by Council member Clair Muller authorizing the acceptance of donated funds estimated to total \$250,000.00 made by the Mt. Paran-Northside Citizens Association, Inc. to the Atlanta Fire Foundation for the purpose of making renovations and improvements to Mt. Paran Fire Station Number 27 and for other purposes. **(Held, 5/14/08); (Finance/ Executive Committee Substitute states that the donations will go to the Atlanta Fire and Rescue Department, 7/2/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute. Councilmember Muller stated that the Substitute states that the donations will go to the Atlanta Fire and Rescue Department. She congratulated them for their hard work. She then offered a motion to **Approve on Substitute, 5 Yeas.**

TO AUTHORIZE THE FINANCE/EXECUTIVE COMMITTEE TO CONDUCT A HEARING ON THE AGREEMENTS BETWEEN COGNOS CORPORATION AND THE CITY OF ATLANTA

08-R-1122 (24) A Resolution by Councilmembers Felicia A. Moore, Howard Shook, Cleta Winslow, Clair Muller, Kwanza Hall and Jim Maddox authorizing the Finance/Executive Committee to conduct a hearing on the Agreements between Cognos Corporation and the City of Atlanta; and for other purposes. **(Held, 5/28/08)**

HELD

TO REQUIRE NOTICE IN CITY CONTRACTS REGARDING THE REQUIREMENT FOR LEGISLATIVE AUTHORIZATION

08-O-1233 (25) An Ordinance by Councilmembers Felicia A. Moore, Carla Smith, Joyce M. Sheperd, H. Lamar Willis, Natalyn Archibong, C. T. Martin, Ivory Lee Young, Jr., Ceasar C. Mitchell, Howard Shook,

Clair Muller and Kwanza Hall to require notice in City Contracts regarding the requirement for Legislative Authorization in advance of rendering services or demand for payment; and for other purposes. **(Held, 6/11/08)**

FAVORABLE

Deputy Chief Diane Jones: of the Department of Corrections addressed the Committee by stating that we find this security service to be efficient. Councilmember Moore asked if they are qualified to handle prisoners. Deputy Chief Jones responded that we will train them. Councilmember Moore stated that there were questions of if they could handle this. Councilmember Maddox asked what is the savings? Deputy Chief Jones responded that the savings is \$1.4 million dollars. Councilmember Winslow stated that Commissioner Pocock stated that we had to do this. Deputy Chief Jones responded that we were doing it because the agency requested that all inmates have one on one security observation and our staffing did not allow that. We then asked to get a contract for a private security agency because we require 42 Officers for the job. Chairperson Shook offered a motion to **Approve, 5 Yeas, 1 Nay.**

TO AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT NO. 4 TO CONTRACT NO. FC-605007888B

08-R-1203 (26) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Amendment No. 4 to Contract No. FC-6005007888B Citywide Security Guard Services, between the City of Atlanta and Dothan Security Services (DSI), on behalf of the Department of Corrections, to add the location and funding in an amount not to exceed \$1,000,000.00 one million dollars; all contracted work to be Charged To and Paid From Fund, 1001-(General Fund) Department 090304 (Corrections Grady Detention) Organization 3420000 (Private Adult Correctional Institute) and Account Number 5212001 (Consultant); and for other purposes. **(Held, 6/11/08)**

HELD

ITEMS NOT ON AGENDA

TO RATIFY AND EXTEND AN EXPIRED CONTRACT, FC-6004007803A

08-O-1351 (1) An Ordinance by Finance/Executive Committee to ratify and extend an expired contract, FC-6004007803A. Annual Contract for Small Water Meters Back Flow Prevention Devices, between City of Atlanta and Kemi Construction Company, Inc., for the purpose of securing continued services for a temporary period of time until such time as services are re-procured; to waive portions of the Article X of the City's Real Estate and Procurement Code; and for other purposes.

FAVORABLE ON FIRST READ

TO RAIFY AND EXTEND AN EXPIRED CONTRACT, FC-6004007803B

08-O-1352 (2) An Ordinance by Finance/Executive Committee to ratify and extend an expired Contract, FC-6004007803B, Annual Contract for Small Water Meters with Back Flow Prevention Devices, between City of Atlanta and Shaheed Construction Company, Inc., for the purpose of securing continued Services for a temporary period of time until such time as Services are re-

procured; to waive portions of Article X of the City's Real Estate and Procurement Code; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE PROVISIONS CONTAINED IN CHAPTER 2, ARTICLE X, DIVISION 14, SECTION 2-1547 OF THE CITY OF ATLANTA CODE OF ORDINANCES

08-O-1258 (3) An Ordinance by Councilmember Cleta Winslow authorizing the City of Atlanta to waive the provisions contained in Chapter 2, Article X, Division 14, Section 2-1547 of the City of Atlanta Code of Ordinances, to authorize the Mayor to enter into a Lease Agreement with Fulton County, Georgia, for the lease of the 6th Floor at the Municipal Court of Atlanta, located at 150 Garnett Street, SW, Atlanta, Georgia, for a period of two (2) years, in an amount equivalent to the cost of Jury demand cases bound over to Fulton County; and for other purposes. **(Referred to Finance/Executive Committee, 7/1/08); (Finance/Executive Committee Conditional passage is to receive a Substitute, 7/2/08)**

FAVORABLE ON CONDITION

Chairperson Shook stated that it was mistakenly referred to Public Safety and should have been here. Councilmember Winslow stated that we unanimously wanted it sent to the Finance/Executive Committee.

Chief Judge Deborah Greene: addressed the Committee by stating that when the City combined the Traffic and Municipal Courts, the abolishment of the Traffic Court required an Intergovernmental Agreement with Fulton County. It required an independent audit for three years. The first year the City paid \$500,000 and was refunded \$185,000. She has received the bill for the third year. We wanted to see if we had space available for the Brian Nichols' trial in exchange for not having to pay the \$374,000. We are a high volume Court and could provide the services. We do have space available on the 6th floor of the building. One of the Agreements was in an exchange of a one year lease, we would get \$374,000 or the waiver of our debt. Fulton County will do the changes and provide security. It will not cost the City anything, except for inconvenience. She is satisfied with their security plan. We ran it through to Chief Pennington. It is for one year with an option of one other year. Councilmember Moore stated that it needs to be Amended to say for one year with an option of another year. The one year will be for the debt of \$374,000. We don't have the Intergovernmental Agreement attached. Chief Judge Green responded that she does not have any objection because that is what we are doing. Councilmember Moore asked who will draft it. Chief Judge Green responded that they will revise it. Councilmember Moore stated that in Section 2 where it says two year Lease Agreement, it should be one year. What happens on the optional year? Will you have to come back for Council's approval? Chief Judge Green responded that we don't know how much will be due on the third year. We can do the same thing for the third year. Councilmember Moore asked if it is necessary to Amend the Intergovernmental Agreement. There is no documentation that says that the Mayor will agree.

Ms. Angela Hinton: Senior Assistant City Attorney addressed the Committee by asking if the Lease Agreement needs amending. Councilmember Moore asked if there are any amendments necessary for the Agreement. Senior Assistant City Attorney responded that she has not seen the Lease. Chief Judge Greene added that it was passed a couple of years ago. We still have some points we are bickering about. Councilmember Moore asked that a draft copy of the Lease be added to the Legislation. She then offered a motion to Approve on Condition of adding the attachments. Councilmember Winslow asked if we owed for three years. Do we do it for two years? Is it possible they can

decide not to do the second year? Chief Judge Greene responded that she presented a solid two-year contract to keep from having to pay Fulton County anything to the Superior Court. The County Manager stated that if it was for two years he would not put it on the Agenda, but would do a one year with a one year option. She would have the Drafted Lease ready by Monday. When you get people in the space, they find out that they like it. Right now with the City's financial picture it is good to wipe out a debt. Chairperson Shook asked what is the inconvenience? Chief Judge Greene responded that the inconvenience is the normal routine for customers. We will be tighter with security and lines will be slower. Councilmember Maddox asked when will they start. Chief Judge Greene responded July 10th. Until we have a signed lease no one will start in our building. Chairperson Shook stated that the Clerk stated that it is okay to approve it today, but she wants the Council President to get her a letter that states that we are correcting a wrong. Councilmember Moore offered a motion to **Approve on Condition of getting a Substitute.**

Councilmember Hall stated that the Department of Finance will no longer be the Administrator for the Pension fund in the next 90 to 120 days. He wants to introduce legislation on Monday for a Third Party Administrator. CFO Davis stated that we are committed to keeping the staff in place until the transition happens. The financial statements will be provided by the Administrative Company. Councilmember Hall asked where are we with the Audit? CFO Davis responded that the Pension Fund can hire an Auditor. She does not know what activities they plan on funding. The only thing audited is contributions, not activities.

Councilmember Moore announced that the Committee on Council will present their 2.5% cut of \$16.6 million dollars. Councilmember Maddox asked if the General Fund will use the same Pension Administrator as Fire and Police. Councilmember Hall responded no. Councilmember Winslow asked where are we with the Riffs. CFO Davis asked for a clearer definition of where we are. Councilmember Winslow asked where are we with training. CFO Davis responded that it is ongoing. We do at least ten sessions a month. There is no assessment and we are not sure how much longer it will go on. Councilmember Winslow asked if there are any more phase ins. Are there any other payouts except for the annual payments? CFO Davis responded that she will get a full explanation from the PMO. There is a PMO (Robert Carson) and he reports to the Steering Committee. Councilmember Hall thanked Mr. Zies for coming on as the Acting CFO. CFO Davis responded that Mr. Zies was assigned to the Oracle Project through February 2008 and then we appointed Robert Carson. Councilmember Moore stated that she has enjoyed working with her. She has gotten nothing, but good reports. She thinks that the culture of the City does not allow people do their jobs. She hopes that will change. Councilmember Muller stated that the CFO has been a rock for us. We appreciate you. CFO Davis responded that she is working on the things that she promised to do. She has enjoyed working with the Council and thanked them for their support. Councilmember Maddox stated that he enjoyed working with you for four years. Chairperson Shook stated that not everyone can do dual reporting. He then thanked her.

Mr. Carey Duncan: addressed the Committee by stating that he wanted to give his appreciation to the CFO. If you were not in place the bond rating would have been devastating. He has asked for an inventory of land as well as the Paulding County land that was set aside for decades. He has not heard the figure what the land is worth. Councilmember Moore stated that if we sold it the funds would go to the Airport Enterprise Funds. He wants to know what the value of the paper streets are as well. He wants to know how many the City owns and the value of them. The City of Atlanta owns the sidewalks and they should upkeep them. Councilmember Moore stated that he should talk to Lisa Gordon in Assets Management.

Mr. Dave Walker: addressed the Committee by stating that he appreciates the Council for the no property tax increase. He asked the CFO to drive fast when she leaves town. Do not stop, just drive fast. He then stated that he does not want any more layoffs to occur.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:25 p.m.

Respectfully submitted,

Ray Zies, Acting CFO

Charlene Parker
Recording Secretary

“The Department of Finance... because customer service is important to us.”